

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1002

---

AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 4-3-27-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2.3. As used in this chapter, "fund" refers to the career coaching grant fund established by section 15 of this chapter.**

SECTION 2. IC 4-3-27-3, AS ADDED BY P.L.152-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:**

- (1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, **general assembly, commission for higher education, and state board of education** on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.
- (2) Advise the governor, **general assembly, commission for higher education, and state board of education** on:
  - (A) the development and implementation of state and local standards and measures; and
  - (B) the coordination of the standards and measures; concerning the applicable federal programs.

HEA 1002 — CC 1



- (3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.
- (4) Identify the workforce needs in Indiana and recommend to the governor, **general assembly, commission for higher education, and state board of education** goals to meet the investment needs.
- (5) Recommend to the governor, **general assembly, commission for higher education, and state board of education** goals for the development and coordination of the talent development system in Indiana.
- (6) Prepare and recommend to the governor, **general assembly, commission for higher education, and state board of education** a strategic plan to accomplish the goals developed under subdivisions (4) and (5).
- (7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).
- (8) Advise the governor, **general assembly, commission for higher education, and state board of education** on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.
- (9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.
- (10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.
- (11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.
- (12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.
- (13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:
  - (A) the governor;
  - (B) **the commission for higher education;**



- (C) the state board of education; and**
  - (D) the legislative council general assembly** in an ~~in~~ electronic format under IC 5-14-6;
- on possible legislative changes in the future.
- (14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:
- (A) the governor;**
  - (B) the commission for higher education;**
  - (C) the state board of education; and**
  - (D) the legislative council general assembly** in an electronic format under IC 5-14-6;
- concerning the results of the study.
- (15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:**
- (A) Indiana's primary, secondary, and postsecondary education systems are aligned with employer needs; and**
  - (B) Indiana's students and workforce are prepared for success in the twenty-first century economy.**
- (16) Create a comprehensive strategic plan to ensure alignment between Indiana's primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.**
- ~~(15)~~ **(17) Carry out other policy duties and tasks as assigned by the governor.**

SECTION 3. IC 4-3-27-5, AS ADDED BY P.L.152-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The membership of the governor's workforce cabinet established under section 3 of this chapter consists of at least ~~twenty-one (21)~~ **twenty-three (23)** members as follows:

- (1) A chairperson appointed by the governor.
- (2) The secretary of career connections and talent.
- (3) The commissioner of the department of workforce development.
- (4) The president of the Indiana economic development corporation.
- (5) The commissioner of the Indiana commission for higher education.
- (6) The superintendent of public instruction.
- (7) The president of Ivy Tech Community College.
- (8) The president of Vincennes University.
- (9) A member appointed by the governor who is an



apprenticeship coordinator of a joint labor-management apprenticeship program approved by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship.

(10) A member representing high school career and technical education directors appointed by the governor in consultation with the Indiana Association of Career and Technical Education Districts.

(11) A member representing manufacturing appointed by the governor in consultation with the Indiana Manufacturers Association.

(12) A member representing a minority business enterprise appointed by the governor.

(13) A member representing a women's business enterprise appointed by the governor.

(14) A member representing a veteran owned business appointed by the governor.

(15) A member representing the nonunion and construction trades appointed by the governor in consultation with the Associated Builders and Contractors, Inc., and the Indiana Builders Association.

(16) A business owner appointed by the governor in consultation with the Indiana Chamber of Commerce.

(17) A small business owner appointed by the governor in consultation with the National Federation of Independent Businesses.

(18) A member of a community-based organization appointed by the governor.

(19) Three (3) at-large business owners appointed by the governor, one (1) of whom is a business owner who employs less than fifty (50) employees.

**(20) A member of the house of representatives appointed by the speaker of the house of representatives who serves as a nonvoting member.**

**(21) A member of the senate appointed by the president pro tempore of the senate who serves as a nonvoting member.**

~~(20)~~ **(22)** Any additional members designated and appointed by the governor.

(b) The members appointed under subsection (a)(11) through (a)(19) must be geographically diverse.

SECTION 4. IC 4-3-27-6, AS ADDED BY P.L.152-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2019]: Sec. 6. (a) ~~The governor shall appoint~~ Members **shall be appointed** to the cabinet for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year.

(b) **For members appointed by the governor**, the governor shall promptly make an appointment to fill any vacancy on the cabinet, but only for the duration of the unexpired term.

SECTION 5. IC 4-3-27-9, AS ADDED BY P.L.152-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) The cabinet shall adopt bylaws and rules governing the cabinet's organization and operation, including bylaws and rules governing the establishment of advisory committees considered necessary by the cabinet, scheduling of cabinet meetings, and other activities necessary to implement this chapter.

**(b) The cabinet's meetings and advisory committee meetings are subject to IC 5-14-1.5 (open door law).**

SECTION 6. IC 4-3-27-11, AS ADDED BY P.L.152-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) As used in this section, "high school" means a high school (as defined in IC 20-18-2-7) that is:

- (1) maintained by a school corporation;
- (2) a charter school; or
- (3) an accredited nonpublic school.

(b) Not later than ~~July 1, 2018~~, **July 1, 2019**, the cabinet shall develop a comprehensive career navigation and coaching system for Indiana that does both of the following:

- (1) Provides timely, comprehensive, relevant, and useful information on careers, including at least:
  - (A) general and industry sector based regional, state, national, and global information to identify both immediate and potential career opportunities arising from:
    - (i) current employer needs;
    - (ii) developing or foreseeable talent needs and trends; and
    - (iii) other factors identified by the cabinet;
  - (B) state, regional, and local labor market supply and demand information from the department of workforce development, industry sectors, and other verifiable sources; and
  - (C) educational requirements and attainment information from employers, the department of workforce development, and other verifiable sources.
- (2) Establishes strategies and identifies capacity to deliver career navigation and coaching to middle school, high school, postsecondary, and adult students, with priority being given to



middle school and high school students, including at least:

- (A) processes for identifying an individual's aptitude for and interest in, and the education and training required for, various career and employment opportunities;
- (B) the use of career coaches and other coaching resources, including the work one system, employers, Ivy Tech Community College, Vincennes University, and other postsecondary educational institutions; and
- (C) qualifications for career coaches and a training program to enable the career coaches to provide relevant information to the individuals being served.

(c) All high schools in Indiana shall participate in the career coaching program developed under subsection (b)(2).

(d) In developing the comprehensive career navigation and coaching system under subsection (b)(2), the cabinet shall:

- (1) receive cooperation, support, and assistance from:
  - (A) the department of workforce development, the Indiana commission for higher education, and the department of education; and
  - (B) the resources, providers, and institutions that the departments and the commission listed in clause (A) use and oversee;
- (2) explore approaches and models from Indiana and other states and countries;
- (3) where appropriate, use pilot programs or other scaling approaches to develop and implement the comprehensive career navigation and coaching system in a cost effective and efficient manner; and
- (4) work to coordinate and align resources to produce effective and efficient results to K-12 educational systems, postsecondary educational systems, the workforce development community, employers, community based organizations, and other entities.

(e) The cabinet shall initially:

- (1) focus on:
  - (A) students in, or of the age to be in, the last two (2) years of high school; and
  - (B) working age adults; and
- (2) use, to the extent possible, the department of workforce development, the K-12 educational system, Ivy Tech Community College, Vincennes University, and other existing resources to implement the comprehensive career navigation and coaching system with a later expansion of the system, as appropriate, to all



K-12 and postsecondary schools and institutions and their students.

(f) Not later than July 30, 2018, the cabinet shall submit to the governor and the legislative council in an electronic format under IC 5-14-6 a progress report concerning the cabinet's activities through June 30, 2018, to develop the comprehensive career navigation and coaching system:

(g) (f) Not later than October 31, 2018, **July 1, 2019**, the cabinet shall submit to:

- (1) the governor;
- (2) **the commission for higher education;**
- (3) **the state board of education;** and
- (4) the ~~legislative council~~ **general assembly** in an electronic format under IC 5-14-6;

operating and funding recommendations to implement the comprehensive career navigation and coaching system.

SECTION 7. IC 4-3-27-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 15. (a) The career coaching grant fund is established for the purpose of providing grants to an eligible entity to implement programs described in section 16 of this chapter.**

(b) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Gifts, grants, devises, or bequests made to the cabinet to achieve the purposes of the fund.

(c) The cabinet shall administer the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 8. IC 4-3-27-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 16. (a) As used in this chapter, "eligible entity" refers to either of the following:**

- (1) A group of local employers, educators, and community leaders.
- (2) An industry credentialing organization certified under IC 20-47-6 for the purpose specified in IC 20-47-6-10(a)(2).

(b) The cabinet may award grants to an eligible entity to establish or implement a career coaching model. The cabinet shall



**establish eligibility requirements and parameters for an eligible entity to receive a grant. To the extent possible, the cabinet must award grants under this section to eligible entities located in geographically diverse communities, which must include rural, suburban, and urban communities.**

**(c) To receive a grant, an eligible entity must apply to the cabinet in the manner prescribed by the cabinet.**

**(d) Not later than December 1, 2019, and each December 1 thereafter, the cabinet shall submit a report to the governor and, in an electronic format under IC 5-14-6, to the general assembly that describes grants awarded under this chapter.**

**(e) The cabinet may establish rules under IC 4-22-2 to implement this section.**

SECTION 9. IC 5-28-6-1, AS AMENDED BY P.L.121-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The corporation shall do the following:

(1) Create and regularly update a strategic economic development plan that includes the following:

(A) Identification of specific economic regions within Indiana and methods by which the corporation will implement more regional collaboration between the corporation and the various local economic development organizations within these regions.

(B) Methods by which the corporation will implement more collaboration between the corporation and the various state economic development organizations within the states contiguous to Indiana.

(2) Establish strategic benchmarks and performance measures.

(3) Monitor and report on Indiana's economic performance.

(4) Market Indiana to businesses worldwide.

(5) Assist Indiana businesses that want to grow.

(6) Solicit funding from the private sector for selected initiatives.

(7) Provide for the orderly economic development and growth of Indiana.

(8) Establish and coordinate the operation of programs commonly available to all citizens of Indiana to implement a strategic plan for the state's economic development and enhance the general welfare.

(9) Evaluate and analyze the state's economy to determine the direction of future public and private actions, and report and make recommendations to the general assembly in an electronic format under IC 5-14-6 with respect to the state's economy. The report





prepared under this subdivision must include recommendations for strategies and plans for collaboration by the corporation with:

- (A) local economic development organizations within geographic regions in Indiana; and
- (B) the various state economic development organizations within the states contiguous to Indiana.

**(10) Assemble and provide information to the commission for higher education and the department of workforce development concerning the economic benefits of residing and working in Indiana as required under IC 21-18-15-4(b).**

SECTION 10. IC 5-28-7-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. (a) This section applies to a grant initially awarded under this chapter after June 30, 2019.**

**(b) Eligibility for a grant from the skills enhancement fund under this chapter is limited to cooperative arrangements or agreements that lead to:**

- (1) for a participating employee that is a new hire, a postsecondary credential, a nationally recognized industry credential, or specialized company training; or**
- (2) for a participating employee that is an existing worker:**
  - (A) a postsecondary credential, a nationally recognized industry credential, or specialized company training; and**
  - (B) an increase of wages.**

SECTION 11. IC 20-19-2-19, AS AMENDED BY P.L.7-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 19. (a) The ~~state board~~ governor's workforce cabinet (established by IC 4-3-27-3) shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The governor's workforce cabinet may enter into agreements with the federal government for receiving federal funds under this subsection. However, an agreement under this subsection is subject to the approval of the budget agency. The governor's workforce cabinet shall make recommendations to the budget committee concerning the allocation of federal funds received under this subsection.**

**(b) The ~~state board~~ governor's workforce cabinet may not expend or distribute funds received under subsection (a) unless those funds have been allocated by the general assembly.**

SECTION 12. IC 20-19-4.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2019]:

**Chapter 4.1. School Accountability Panel**

**Sec. 1.** As used in this chapter, "panel" refers to the school accountability panel established by section 2 of this chapter.

**Sec. 2.** The school accountability panel is established.

**Sec. 3. (a)** The panel consists of the following members:

- (1) The member of the state board appointed under IC 20-19-2-2.2(a)(3).
- (2) The member of the state board appointed under IC 20-19-2-2.2(a)(4).
- (3) The chairperson of the education standing committee of the house of representatives.
- (4) The chairperson of the education and career development standing committee of the senate.
- (5) One (1) member representing business appointed by the member described in subdivision (1), in consultation with the Indiana Chamber of Commerce.
- (6) One (1) member representing industry appointed by the member described in subdivision (2), in consultation with the Indiana Manufacturers Association.
- (7) One (1) member from the commission for higher education, appointed by the commissioner of the commission for higher education.
- (8) One (1) member from Ivy Tech Community College whose responsibilities include workforce alignment, appointed by the president of Ivy Tech Community College.
- (9) One (1) member from Vincennes University whose responsibilities include workforce alignment, appointed by the president of Vincennes University.
- (10) One (1) member who is a school superintendent selected by the member described in subdivision (1).
- (11) One (1) member who is a school principal selected by the member described in subdivision (2).
- (12) One (1) member who is a career and technical education director selected by the member described in subdivision (1).
- (13) One (1) member who is a teacher selected by the member described in subdivision (2).
- (14) Two (2) members appointed by the governor.

**(b)** The members described in subsections (a)(1) and (a)(2) shall serve as co-chairpersons of the panel. The panel shall meet upon the call of the co-chairpersons. A quorum of members is required for official action of the panel.



**Sec. 4. (a) A member of the panel who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.**

**(b) Each member of the panel who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.**

**(c) Each member of the panel who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.**

**Sec. 5. (a) The panel shall study the topic of aligning school accountability with graduation pathway requirements under IC 20-32-4-1.5(b)(1) and recommend new indicators of school performance to replace measures or indicators established under IC 20-31-8-5.4. On or before October 30, 2019, the panel shall submit recommendations to the general assembly in an electronic format under IC 5-14-6 and to the state board.**

**(b) When reviewing indicators the panel shall consider including:**

- (1) postsecondary preparation indicators aligned to graduation pathways requirements, including the graduation rate;**
- (2) an on-track indicator or indicators based upon student credits; and**
- (3) postsecondary outcomes.**

**Sec. 6. The state board shall provide staff support to the panel.**

**Sec. 7. This chapter expires December 31, 2021.**

**SECTION 13. IC 20-20-38-6, AS AMENDED BY P.L.152-2018, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The state board shall do the following:**



(1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.

(2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:

(A) The Indiana economic development corporation.

(B) The cabinet.

(C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).

(D) The department of labor.

(E) The commission for higher education.

(F) The department of workforce development.

(G) The board for proprietary education.

(H) The department of veterans' affairs.

(3) Review and make recommendations concerning plans submitted by the commission for higher education and the cabinet. The state board may request the resubmission of plans or parts of plans that:

(A) are not consistent with the long range state plan of the state board;

(B) are incompatible with other plans within the system; or

(C) duplicate existing services.

(4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between secondary level career and technical education and postsecondary level career and technical education.

~~(6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.~~

(b) The state board shall use data from the department of workforce development in carrying out the state board's duties under this section.

SECTION 14. IC 20-20-38-11, AS AMENDED BY P.L.152-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2019]: Sec. 11. Upon request of the budget director, the state board shall prepare a legislative budget request for state ~~and federal~~ funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the cabinet before the request's review by the budget committee.

SECTION 15. IC 20-20-38-12, AS AMENDED BY P.L.152-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the cabinet, the state board shall make recommendations to the budget committee concerning the appropriation of state funds **for secondary and postsecondary career and technical education.** ~~and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.).~~ The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:

- (1) ~~the minimum funding levels required by 20 U.S.C. 2301 et seq.;~~
- (2) **(1)** the categories of expenditures and the distribution plan or formula for secondary schools; and
- (3) **(2)** the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations, and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board, and the budget committee, may augment or proportionately reduce an



allocation of federal funds made under subsection (c).

(e) The state board shall use data from the department of workforce development in making a recommendation under this section.

SECTION 16. IC 20-24-2.2-2, AS AMENDED BY P.L.250-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The minimum standard for renewal and the standard to avoid closure imposed by authorizers on a charter school is a requirement that the charter school not remain in the lowest category or designation of school improvement, including any alternative accountability category or designation, in the third year after initial placement in the lowest category or designation established under IC 20-31-8-4.

(b) An authorizer of a charter school that does not meet the minimum standard for charter school renewal described in subsection (a) may petition the state board at any time to request permission to renew the charter school's charter notwithstanding the fact that the charter school does not meet the minimum standard. If timely notification is made, the state board shall hold a hearing to consider the authorizer's request at the state board's next regularly scheduled board meeting.

(c) In determining whether to grant a request under subsection (b), the state board shall consider the following:

- (1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.
- (2) High mobility of the student population resulting from the specific purpose of the charter school.
- (3) Annual improvement in the performance of students enrolled in the charter school, as measured ~~by IC 20-31-8-1, under~~ **IC 20-31-8**, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

(d) After the hearing, the state board must implement one (1) or more of the following actions:

- (1) Grant the authorizer's request to renew the charter of the charter school. The state board may determine the length of the renewal and any conditions of the renewal placed upon either the charter school or the authorizer.
- (2) Order the closure of the charter school at the end of the current school year.
- (3) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school identified in subsection (b). The reduction must become effective at the



beginning of the month following the month of the authorizer's hearing before the state board.

A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.

SECTION 17. IC 20-28-5-12, AS AMENDED BY P.L.106-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) Subsection (b) does not apply to an individual who:

- (1) held an Indiana limited, reciprocal, or standard teaching license on June 30, 1985; or
- (2) is granted a license under section 18 of this chapter.

(b) The department may not grant an initial practitioner license to an individual unless the individual has demonstrated proficiency in the following areas on a written examination or through other procedures prescribed by the department:

- (1) Basic reading, writing, and mathematics.
- (2) Pedagogy.
- (3) Knowledge of the areas in which the individual is required to have a license to teach.
- (4) If the individual is seeking to be licensed as an elementary school teacher, comprehensive scientifically based reading instruction skills, including:
  - (A) phonemic awareness;
  - (B) phonics instruction;
  - (C) fluency;
  - (D) vocabulary; and
  - (E) comprehension.

(c) An individual's license examination score may not be disclosed by the department without the individual's consent unless specifically required by state or federal statute or court order.

(d) **Subject to section 22 of this chapter**, the state board shall adopt rules under IC 4-22-2 to do the following:

- (1) Adopt, validate, and implement the examination or other procedures required by subsection (b).
- (2) Establish examination scores indicating proficiency.
- (3) Otherwise carry out the purposes of this section.

(e) Subject to section 18 of this chapter, the state board shall adopt rules under IC 4-22-2 establishing the conditions under which the requirements of this section may be waived for an individual holding a valid teacher's license issued by another state.

SECTION 18. IC 20-28-5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2019]: **Sec. 22. (a) This section applies to teacher licensing examinations administered to determine whether an individual demonstrates, in accordance with section 12(b) of this chapter, proficiency in:**

- (1) basic reading, writing, and mathematics;**
- (2) pedagogy; and**
- (3) knowledge of the areas in which the individual is required to have a license to teach.**

**(b) Not later than July 1, 2020, the state board shall adopt teacher licensing examinations to replace the teacher licensing examinations administered on July 1, 2019.**

**(c) The state board shall adopt teacher licensing examinations that are already in existence and administered nationally.**

**(d) The department shall, not later than September 1, 2021, implement the teacher licensing examinations adopted under this section.**

**(e) The state board may adopt rules under IC 4-22-2 to carry out this section.**

**SECTION 19. IC 20-28-5-22.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 22.1 (a) After June 30, 2019, a school corporation, a school, or a secondary school vocational program may employ an instructor who does not have a license under this chapter for not more than fifty percent (50%) of the career and technical education courses offered by the school corporation, school, or secondary school vocational program, if the instructor:**

- (1) has:**
  - (A) six thousand (6,000) hours of work experience in the five (5) years immediately preceding the year of employment as an instructor in the secondary vocational program;**
  - (B) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and provides evidence of occupational licensure or occupational proficiency based on a regional, state, or national board training and evaluation approved by the department;**
  - (C) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational**





program and provides evidence of completion of an accredited two (2) year or higher degree in the specific area in which the instructor will teach; or

(D) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and has completed an apprenticeship or internship program; and

(2) obtains an expanded criminal history check and child protection index search under IC 20-26-5-10.

(b) An instructor is considered a teacher for purposes of collective bargaining under IC 20-29.

SECTION 20. IC 20-28-5-25 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 25. (a) This section applies to a professional growth plan that begins after July 1, 2019.

(b) Fifteen (15) of the total number of professional growth experience points required to renew a practitioner license or an accomplished practitioner license must be obtained through the completion of one (1) or more of the following:

(1) An externship with a company.

(2) Professional development provided by the state, a local business, or a community partner that provides opportunities for schools and employers to partner in promoting career navigation.

(3) Professional development provided by the state, a local business, or a community partner that outlines the:

(A) current and future economic needs of the community, state, nation, and globe; and

(B) ways in which the current and future economic needs described in clause (A) can be disseminated to students.

SECTION 21. IC 20-28-9-1.5, AS AMENDED BY P.L.215-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after



June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan under any of the following circumstances:

- (1) The teacher:
  - (A) teaches an advanced placement course or a Cambridge International course; or
  - (B) has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:
    - (i) a dual credit course; or
    - (ii) another course;
 

taught by the teacher.
- (2) Beginning after June 30, 2018, the teacher:
  - (A) is a special education professional; or
  - (B) teaches in the areas of science, technology, engineering, or mathematics.
- (3) Beginning after June 30, 2019, the teacher teaches a career or technical education course.**

In addition, a supplemental payment may be made to an elementary school teacher who earns a master's degree in math, reading, or literacy. A supplement provided under this subsection is not subject to collective bargaining, but a discussion of the supplement must be held. Such a supplement is in addition to any increase permitted under subsection (b).

(b) Increases or increments in a local salary range must be based upon a combination of the following factors:

- (1) A combination of the following factors taken together may account for not more than thirty-three and one-third percent (33.33%) of the calculation used to determine a teacher's increase or increment:
  - (A) The number of years of a teacher's experience.
  - (B) The possession of either:
    - (i) additional content area degrees beyond the requirements for employment; or
    - (ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.
- (2) The results of an evaluation conducted under IC 20-28-11.5.
- (3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.
- (4) The academic needs of students in the school corporation.



(c) To provide greater flexibility and options, a school corporation may differentiate the amount of salary increases or increments determined for teachers under subsection (b)(4). A school corporation shall base a differentiated amount under this subsection on any academic needs the school corporation determines are appropriate, which may include the:

- (1) subject or subjects, including the subjects described in subsection (a)(2), taught by a given teacher;
- (2) importance of retaining a given teacher at the school corporation; and
- (3) need to attract an individual with specific qualifications to fill a teaching vacancy.

(d) A school corporation may provide differentiated increases or increments under subsection (b), and in excess of the percentage specified in subsection (b)(1), in order to reduce the gap between the school corporation's minimum teacher salary and the average of the school corporation's minimum and maximum teacher salaries.

(e) Except as provided in subsection (f), a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(f) Subsection (e) does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two (2) full school years under this subsection.

(g) A teacher who does not receive a raise or increment under subsection (e) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(h) The Indiana education employment relations board established in IC 20-29-3-1 shall publish a model compensation plan with a model salary range that a school corporation may adopt.

(i) Each school corporation shall submit its local compensation plan



to the Indiana education employment relations board. For a school year beginning after June 30, 2015, a local compensation plan must specify the range for teacher salaries. The Indiana education employment relations board shall publish the local compensation plans on the Indiana education employment relations board's Internet web site.

(j) The Indiana education employment relations board shall review a compensation plan for compliance with this section as part of its review under IC 20-29-6-6.1. The Indiana education employment relations board has jurisdiction to determine compliance of a compensation plan submitted under this section.

(k) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2015, if that decrease would be made solely to conform to the new compensation plan.

(l) After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.

SECTION 22. IC 20-30-4-2, AS AMENDED BY P.L.191-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. In consultation with the student's school counselor, after seeking consultation with each student's parents, and not later than the date on which the student completes grade 9, each student shall further develop the graduation plan developed in grade 6 under section 1.5 of this chapter to also include the following:

(1) The subject and skill areas of interest to the student.

**(2) The postsecondary goals of the student. The postsecondary goals of the student should indicate whether the student plans to complete:**

**(A) a career aptitude exam;**

**(B) a work based learning course;**

**(C) a certificate, two (2) year, or four (4) or more year postsecondary education program; or**

**(D) any combination of the exams, courses, or programs described in clauses (A) through (C).**

~~(2)~~ **(3)** A program of study under the college/technology preparation curriculum adopted by the state board under IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests, ~~and~~ aptitude, ~~and~~ **postsecondary goals** of the student.

~~(3)~~ **(4)** Assurances that, upon satisfactory fulfillment of the plan, the student:

**(A)** is entitled to graduate; and

**(B)** will have taken at least the minimum variety and number



of courses necessary to gain admittance to a state educational institution.

~~(4)~~ **(5)** An indication of assessments (other than the statewide assessment program and the graduation examination (before July 1, 2018)) that the student plans to take voluntarily during grade 10 through grade 12 and which may include any of the following:

- (A) The SAT Reasoning Test.
- (B) The ACT test.
- (C) Advanced placement exams.
- (D) College readiness exams approved by the department.
- (E) Workforce readiness exams approved by the department of workforce development established under IC 22-4.1-2.
- (F) Cambridge International examinations.

~~(5)~~ **(6)** An indication of the graduation pathway requirement (after June 30, 2018) that the student plans to take.

SECTION 23. IC 20-30-4-4, AS AMENDED BY P.L.140-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. A graduation plan may be modified after initial development. However, the modifications may not interfere with the assurances described in section ~~2(3)~~ **2(4)** of this chapter.

SECTION 24. IC 20-30-10-5, AS AMENDED BY P.L.215-2018(ss), SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. **(a)** Notwithstanding any other law, a high school may:

**(1)** replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5), Cambridge International courses, **international baccalaureate courses**, or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course; and ~~may~~

**(2)** count: ~~such a~~

**(A)** a course **described in subdivision (1);**

**(B)** a work based learning course, program, or experience **that is approved under subsection (c); or**

**(C)** a career and technical education course, program, or experience **that is approved under subsection (c);**

as satisfying an Indiana diploma with a Core 40 with academic honors designation or another designation requirement.

**(b)** A course, program, or experience **described in subsection (a)(2)(B) or (a)(2)(C):**

**(1)** with:

**(A)** subject matter that is similar to; and

**(B)** rigor that is equal to or greater than;



the subject matter and rigor of the required course; but  
 (2) that does not fully align with the required course standards;

must be augmented with instruction to include the remaining standards of the required course.

(c) If a course, program, or experience provider requests that the state board, a state educational institution (as defined in IC 21-7-13-32), or any other entity designated by the state board approve a course, program, or experience described in subsection (a)(2)(B) or (a)(2)(C), the state board, state educational institution, or other entity shall approve the course, program, or experience if the provider provides the following:

(1) A description of the extent to which the course, program, or experience aligns with the required course that the provider is replacing.

(2) An explanation regarding how the remaining standards of the required course, program, or experience will be augmented.

(d) If the state board, a state educational institution, or another entity designated by the state board approves a course, program, or experience under subsection (c), the state board, state educational institution, or other entity:

(1) shall periodically review the approved course, program, or experience to ensure the course, program, or experience complies with the requirements under subsection (b); and

(2) may revoke approval of the course, program, or experience if, at any time more than one (1) year after the course, program, or experience is offered, the state board, state educational institution, or other entity determines that the course, program, or experience does not comply with the requirements under subsection (b).

(e) A dual credit course described in subsection (a)(1) must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.

SECTION 25. IC 20-31-5-4, AS AMENDED BY P.L.233-2015, SECTION 233, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and



- (2) be annually reviewed and revised to accomplish the achievement objectives of the school.
- (b) A plan must establish objectives for the school to achieve.
- (c) A plan must address the learning needs of all students, including programs and services for exceptional learners.
- (d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.
- (e) A plan must note specific areas where improvement is needed immediately.

**(f) On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires, each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.**

**(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities, and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.**

SECTION 26. IC 20-37-2-2, AS AMENDED BY P.L.69-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018 (RETROACTIVE)]: Sec. 2. (a) A governing body may:

- (1) establish career and technical education centers, schools, or departments in the manner approved by the state board; and
  - (2) maintain these schools or departments from the general fund.
- (b) The governing body may include in the high school curriculum without additional state board approval any secondary **or postsecondary** level career and technical education course that is approved under section 11 of this chapter, if applicable.
- (c) The governing body shall notify the department and the department of workforce development whenever the governing body:
- (1) includes an approved course for; or



(2) removes an approved course from;  
the high school curriculum.

**(d) A contract between a career and technical education center and a school or school corporation is a public record under IC 5-14-3.**

SECTION 27. IC 20-37-2-11, AS AMENDED BY P.L.69-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) As used in this section, "career and technical education course" means a career and technical education course that is an approved ~~high school~~ course under the rules of the state board.

**(b) Except as provided in subsection (c),** a school corporation that has entered into an agreement for a joint program of career and technical education with one (1) or more other school corporations may not add a new career and technical education course to its curriculum unless the course has been approved in the following manner:

(1) In the case of an agreement under IC 20-37-1, the course must be approved by the management board for the joint program.

(2) In the case of an agreement under IC 20-26-10, the course must be approved by the governing body of the school corporation that is designated to administer the joint program under IC 20-26-10-3. However, if that governing body refuses to approve the course, the course may be approved by a majority of the governing bodies of the school corporations that are parties to the agreement.

**(c) A school that has entered into an agreement for a joint program of career and technical education may add a new career and technical education course to its curriculum without being approved under subsection (b)(1) or (b)(2) if the course is being offered in partnership with an employer or an employer and either:**

**(1) a postsecondary educational institution; or**

**(2) a third party trainer that is eligible to receive funding under the federal Workforce Innovation and Opportunity Act (WIOA) of 2014 under 29 U.S.C. 3101 et seq., including reauthorizations of WIOA, and is listed on the department of workforce development's eligible training provider list on the department of workforce development's Internet web site.**

**(d) A student who is enrolled or was enrolled in a career and technical education course after June 30, 2018, that:**

**(1) is or was offered by a school corporation; and**

**(2) meets the requirements set forth in subsection (c);**





shall receive credit for successfully completing the course regardless of whether the course has been approved under subsection (b)(1) or (b)(2).

(e) Subject to IC 20-43-8-7.5 and any applicable federal law, a course that meets the requirements set forth in subsection (c) that is offered by a school corporation after June 30, 2018, is eligible for state and federal career and technical education funding.

SECTION 28. IC 20-43-8-0.7, AS ADDED BY P.L.174-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 0.7. As used in this chapter, "work based learning course" means a program, delivered in an employment relationship, that provides a worker with paid **or meaningful** work experience and corresponding classroom instruction.

SECTION 29. IC 20-47-6 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 6. Industry Collaboration Organization; Certification; Administration of Contributions**

Sec. 1. As used in this chapter, "contribution" means a contribution to an industry collaboration organization made for the purposes set forth in section 10 of this chapter.

Sec. 2. As used in this chapter, "eligible training program" means a training program that leads to the attainment of any of the following:

- (1) An industry certification that appears on the state board's industry certification list that is approved by the department of workforce development.
- (2) A postsecondary degree, certificate, or credential that:
  - (A) is from a training provider; and
  - (B) certifies occupational proficiency in a skilled trade.
- (3) A certificate of completion of an apprenticeship program (as defined in IC 20-43-8-0.3) that is established as a graduation pathway requirement under IC 20-32-4-1.5.

Sec. 3. As used in this chapter, "qualifying educational expenses" means:

- (1) tuition, fees, or expenses required to attend an eligible training program;
- (2) fees, books, supplies, and equipment required for courses of instruction in the eligible training program; and
- (3) any other training or educational expenses approved by the governor's workforce cabinet.

Sec. 4. As used in this chapter, "school" means a public school,



including a charter school, an accredited nonpublic school, or an eligible school (as defined in IC 20-51-1-4.7).

**Sec. 5.** As used in this chapter, "student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7; and
- (3) is currently enrolled in a school.

**Sec. 6.** As used in this chapter, "training provider" means any of the following:

- (1) A state educational institution (as defined in IC 21-7-13-32).
- (2) A postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9).
- (3) A career and technical education provider established by a governing body (as defined in IC 20-18-2-5) under IC 20-37.
- (4) An entity approved by the governor's workforce cabinet to provide education or training to a student.
- (5) An industry collaboration organization.

**Sec. 7.** An organization qualifies for certification as an industry collaboration organization if the organization:

- (1) is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;
- (2) conducts activities for the purpose of enhancing career and technical education and work based learning opportunities for students in alignment with state and regional workforce needs;
- (3) is governed by a board of directors that consists of members:
  - (A) of whom the majority are representatives of businesses from a high wage, high demand, priority industry sector or sectors; and
  - (B) of whom the minority represent:
    - (i) kindergarten through grade 12 education;
    - (ii) postsecondary education; and
    - (iii) community based organizations in Indiana;
- (4) applies to the governor's workforce cabinet on the form, by the date, and in the manner prescribed by the governor's workforce cabinet to be recognized by the state and to be eligible for state funding;
- (5) indicates the industry sector or sectors and geographic



region in which the organization is requesting to be designated by the governor's workforce cabinet; and

(6) enters into an agreement with the governor's workforce cabinet to comply with this article.

**Sec. 8.** The governor's workforce cabinet shall certify an organization as an industry collaboration organization in the sector or sectors and region (which may include the entire state) the organization requests, if the organization meets the qualification requirements under section 7 of this chapter. The governor's workforce cabinet shall certify the organization at the next governor's workforce cabinet meeting after receiving the request for certification. However, if the governor's workforce cabinet's next meeting is within ten (10) days of receipt of the request for certification, the governor's workforce cabinet may certify the organization at the governor's workforce cabinet's second meeting after the receipt of the request for certification.

**Sec. 9.** An agreement entered into under section 7(6) of this chapter by the governor's workforce cabinet and an industry collaboration organization must require the industry collaboration organization to do the following:

(1) Collaborate with industry sector partners at the state and regional levels and coordinate periodically with:

- (A) the governor's workforce cabinet;
- (B) training providers; and
- (C) other stakeholders;

in carrying out the activities of the industry collaboration organization under this chapter.

(2) Agree to deposit all contributions in a separate account of the industry collaboration organization.

(3) Agree to provide written substantiation to taxpayers for each contribution made to the industry collaboration organization, which must include certification that the contribution will be used by the industry collaboration organization only for purposes of this chapter.

(4) Beginning not later than the third year following the date the industry collaboration organization is certified under section 8 of this chapter, distribute annually not less than seventy-five percent (75%) of the total amount of contributions for one (1) or more purposes set forth in section 10 of this chapter.

(5) Use not more than ten percent (10%) of the total amount of contributions for administrative costs, including costs for:



- (A) financial audits for an industry collaboration organization; and
- (B) reimbursements for reasonable costs incurred by members of the board of directors of an industry collaboration organization in carrying out the activities of the industry collaboration organization under this chapter.
- (6) Prohibit a taxpayer from directing a contribution to a particular student or a particular training provider.
- (7) Allow a taxpayer to designate:
  - (A) a specific purpose for which the taxpayer's contribution must be used; and
  - (B) a specific school or school district for which the taxpayer's contribution must be used;
 under section 10 of this chapter.
- (8) Agree to provide a list of the names and addresses of the board members, officers, and employees with managerial authority of the industry collaboration organization.
- (9) Conduct criminal background checks on all the industry collaboration organization board members, officers, and employees, and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds.
- (10) Make the reports required by this chapter.

**Sec. 10. (a)** Money received from contributions may be used by an industry collaboration organization for one (1) or more of the following purposes:

- (1) To support the development and implementation of high school graduation pathways.
- (2) To provide money to the industry collaboration organization to establish and operate a career counseling program for students.
- (3) To enhance career and technical education and training programs which may include a work ethic certificate program established under IC 22-4.1-25.
- (4) To expand apprenticeships and work based learning opportunities which may include the following:
  - (A) An apprenticeship program (as defined in IC 20-43-8-0.3) that is established as a graduation pathway requirement under IC 20-32-4-1.5.
  - (B) A work based learning course delivered in an employment relationship that:
    - (i) provides a worker with paid or meaningful work



experience and corresponding classroom instruction as set forth in IC 20-43-8-0.7; and

(ii) is established as a graduation pathway requirement under IC 20-32-4-1.5.

(5) To provide grants to schools to be used by the school to pay the transportation costs for students to attend an eligible training program that allows the student to concurrently earn high school or college credit.

(6) To provide grants for any other course or program, if the course or program leads to the attainment of a specific employment related credential that documents the student's skills for employment success.

(7) To partner with other industry collaboration organizations, nonprofits, public foundations, or other entities to provide workforce related educational programs or training for students.

(b) State grant funding distributed by the governor's workforce cabinet for purposes of subsection (a) shall be granted with a preference given to multisector industry collaboration organizations.

Sec. 11. An industry collaboration organization may accept a contribution of stock for purposes of this chapter. If an industry collaboration organization accepts stock as a contribution for purposes of this chapter, the industry collaboration organization must sell the stock and deposit the proceeds of the sale in the account described in section 9(2) of this chapter not later than ten (10) days after the date of the contribution of the stock.

Sec. 12. (a) An industry collaboration organization may not distribute grants from contributions under this chapter:

(1) for use by a student who is also the recipient of a high value workforce ready credit-bearing grant under IC 21-12-8 for attendance at a training provider in any course for which the grant for attendance from the industry collaboration organization is provided;

(2) for use by a student to enroll in an eligible training program that the industry collaboration organization knows does not qualify under this chapter;

(3) for use to fund an eligible training program of a training provider as defined in section 6(3) of this chapter (career and technical education provider), if the grant money is used by the training provider to replace state funding for the eligible training program for which the grant is made; or



(4) to pay the qualifying educational expenses for students to attend an eligible training program in which the student is entitled to enroll without payment of tuition.

(b) An agreement entered into under section 7(6) of this chapter must prohibit an industry collaboration organization from limiting the availability of grants from contributions to students of only one (1) school or attendance at only one (1) eligible training provider.

Sec. 13. (a) An industry collaboration organization certified under this chapter must publicly report to the governor's workforce cabinet by December 1 of each year the following information regarding the industry collaboration organization's grants awarded in the previous school year:

- (1) The name and address of the industry collaboration organization.
- (2) The total number and total dollar amount of contributions received during the previous school year.
- (3) The:
  - (A) total number and total dollar amount of all grants awarded during the previous school year;
  - (B) total number and total dollar amount of grants awarded to pay the qualifying educational expenses for students to attend an eligible training program;
  - (C) total number and total dollar amount of grants awarded to each school; and
  - (D) total number and total dollar amount of other expenses.

The report must be certified under penalties of perjury by the executive director of the industry collaboration organization.

(b) An industry collaboration organization certified under this chapter shall contract with an independent certified public accountant for an annual financial audit of the industry collaboration organization. The industry collaboration organization must provide a copy of the annual financial audit to the governor's workforce cabinet and must make the annual financial audit available to a member of the public upon request.

Sec. 14. The governor's workforce cabinet shall prescribe a standardized form for industry collaboration organizations to report information required under this chapter.

Sec. 15. The governor's workforce cabinet may, in a proceeding under IC 4-21.5, suspend or terminate the certification of an organization as an industry collaboration organization if the governor's workforce cabinet establishes that the industry



collaboration organization has intentionally and substantially failed to comply with the requirements of this chapter or an agreement entered into under this chapter.

**Sec. 16.** The governor's workforce cabinet may conduct either a financial review or an audit of an industry collaboration organization certified under this chapter if the department of state revenue has evidence of fraud.

**Sec. 17. (a)** An industry collaboration organization established under this chapter shall report to the governor's workforce cabinet:

- (1) the activities supported by any state grant money received; and
- (2) the student outcomes resulting from the approved activities;

in accordance with reporting standards established by the governor's workforce cabinet and the management performance hub.

(b) The governor's workforce cabinet shall make the information reported by each industry collaboration organization under subsection (a) available to the public on the Internet web site of the governor's workforce cabinet.

**Sec. 18.** The governor's workforce cabinet shall prescribe a standard form to be used by the industry collaboration organization to report student outcomes as required under section 17(a)(2) of this chapter, including at least the following information for the students participating in the approved activities described in section 10 of this chapter:

- (1) The number, geographic region, and demographic breakdown of students who completed a program or activity funded in whole or in part by state grant money under this chapter, including:
  - (A) an industry recognized apprenticeship program;
  - (B) an internship or equivalent work based learning experience;
  - (C) an industry recognized certification or credential; or
  - (D) a postsecondary certificate or degree.
- (2) The industry sectors and businesses supported by the approved activities.
- (3) The number and names of school corporations and postsecondary institutions supporting the delivery of the approved activities.

**Sec. 19.** The governor's workforce cabinet shall support an



**industry collaboration organization in sharing and scaling best practices on a statewide basis by:**

- (1) conducting an annual survey of the business, education, and community organizations participating in the industry collaboration organization, in consultation with the management performance hub; and**
- (2) convening the industry collaboration organizations on an ongoing basis in collaboration with Indiana's statewide business and industry associations.**

**Sec. 20. The governor's workforce cabinet shall annually compile lists of the following:**

- (1) The industry sectors and geographic regions in which industry collaboration organizations are operating, disaggregated by industry category and region.**
- (2) The business, educational institutions, and community organizations affiliated with the industry collaboration organizations established under this chapter, disaggregated by industry category and region.**

SECTION 30. IC 21-12-8-2, AS AMENDED BY P.L.230-2017, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The commission shall do the following:

- (1) Prescribe the form and manner in which applications for adult student grants may be submitted.
- (2) Determine the eligibility of applicants.
- (3) Determine the amount of an adult student grant awarded to a recipient.
- (4) In conjunction with the department of workforce development, determine which certificate programs are eligible for the high value workforce ready credit-bearing grant under section 9 of this chapter after considering at least the following for each certificate program:
  - (A) Workforce demand and needs.
  - (B) Wage level data and information.
  - (C) Program content and completion data.
  - (D) Job placement data.

**(E) The program's impact on public safety.**

SECTION 31. IC 21-12-8-9, AS AMENDED BY P.L.174-2018, SECTION 8, AND AS AMENDED BY P.L.178-2018, SECTION 6, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:

- (1) An approved secondary school.





- (2) An accredited nonpublic school.
- (3) A nonaccredited nonpublic school.
- (b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:
  - (1) The applicant is domiciled in Indiana, as defined by the commission.
  - (2) The applicant:
    - (A) has received a diploma of graduation from a school described in subsection (a);
    - (B) has been granted a:
      - (i) high school equivalency certificate before July 1, 1995; or
      - (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or
    - (C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.
  - (3) The applicant is enrolled in an eligible certificate program, as determined under ~~IC 21-12-8-2(4)~~, **section 2(4) of this chapter**, at ~~Ivy Tech Community College or Vincennes University~~. **Ivy Tech Community College, Vincennes University, or a program approved by the commission.**
  - (4) The applicant enrolls at least half-time for purposes of federal financial aid.
  - (5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.
  - (6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).
  - (7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).
  - (8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.
  - (9) *Except as provided under subsection (c), the applicant maintains satisfactory academic progress, as determined by the eligible institution. ~~unless one (1) or more of the following conditions is met:~~*
    - ~~(A) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years:~~*



*~~(B)~~ The applicant attended an eligible institution at any time during the immediately preceding two (2) academic years and the applicant maintained satisfactory academic progress during the period in which the applicant attended the eligible institution.*

(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.

(11) The applicant meets any other minimum criteria established by the commission.

*(c) This subsection applies to an applicant who does not maintain satisfactory academic progress under subsection (b)(9) but meets all the other conditions required under subsection (b). An applicant is eligible to receive a high value workforce ready credit-bearing grant if the applicant meets one (1) of the following:*

*(1) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.*

*(2) The applicant:*

*(A) attended an eligible institution at any time during the immediately preceding two (2) academic years; and*

*(B) maintained satisfactory academic progress, as determined by the eligible institution, during the period described in clause (A) in which the applicant attended the eligible institution.*

*~~(e)~~ (d) If an applicant is identified as dependent as determined by the Free Application for Federal Student Aid (FAFSA), the applicant must:*

*(1) meet the criteria specified in subsection (b), except for subsection (b)(4), (b)(7), and (b)(9);*

*(2) enroll full time for purposes of federal financial aid;*

*(3) maintain satisfactory academic progress, as determined by the eligible institution; and*

*(4) complete a workforce ready grant success program, as determined by the commission, if the applicant graduates from high school after December 31, 2018.*

*~~(d)~~ (e) If the demand for high value workforce ready credit-bearing grants exceeds the available appropriation, as determined by the commission, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).*

SECTION 32. IC 21-18-15 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:



### **Chapter 15. Let Indiana Work for You Program**

**Sec. 1.** As used in this chapter, "corporation" refers to the Indiana economic development corporation established by IC 5-28-3-1.

**Sec. 2.** As used in this chapter, "department" refers to the department of workforce development.

**Sec. 3.** As used in this chapter, "program" refers to the Let Indiana Work for You program established under section 4 of this chapter.

**Sec. 4. (a)** The commission shall, in coordination with the department and the corporation, establish a Let Indiana Work for You program to provide to colleges and universities as provided under this chapter information for college and university students concerning:

- (1) workforce opportunities in Indiana; and
- (2) other benefits of residing and working in Indiana after graduating from the college or university.

**(b)** The corporation shall assemble and provide to the commission and the department information concerning the economic benefits of residing and working in Indiana.

**Sec. 5.** The commission, in coordination with the department and the corporation, shall do the following:

- (1) Subject to section 6 of this chapter, not later than the 2019-2020 academic year, implement the program at state educational institutions selected by the commission.
- (2) Subject to section 6 of this chapter, not later than the 2020-2021 academic year, implement the program at:
  - (A) all state educational institutions; and
  - (B) other colleges and universities that elect to participate in the program.

**Sec. 6.** If a college or university approves of the information described in section 4 of this chapter for distribution to the students of the college or university, the:

- (1) commission, in coordination with the department and the corporation, shall provide the information to the college or university in:
  - (A) a written or electronic format; or
  - (B) both a written and electronic format; and
- (2) college or university shall:
  - (A) present in person;
  - (B) use other communication mediums to provide; or
  - (C) both present in person and use other communication



**mediums to provide;  
to students of the college or university the information  
described in section 4 of this chapter.**

SECTION 33. IC 22-4.1-19-6, AS AMENDED BY P.L.152-2018, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The cabinet may make recommendations to the state board concerning the legislative budget requests prepared under IC 20-20-38-12 by state educational institutions for state ~~and federal~~ funds for career and technical education.

SECTION 34. IC 22-4.1-20-4, AS AMENDED BY P.L.152-2018, SECTION 32, AND AS AMENDED BY P.L.174-2018, SECTION 39, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) *Not less than twenty-five percent (25%) of the money appropriated by the general assembly for adult education and the work Indiana program shall be used as provided in subsections (b) and (c).*

(b) *Money described in subsection (a) may be used ~~only~~ to reimburse an eligible provider for adult education that is provided to individuals who:*

(1) need the education to master a skill that leads to:

(A) the completion of grade 8; or

(B) an Indiana high school equivalency diploma under IC 22-4.1-18;

(2) need the education to receive high school credit to obtain a high school diploma; or

(3) have graduated from high school (or received a high school equivalency certificate, a general educational development (GED) diploma, or an Indiana high school equivalency diploma), but who demonstrate basic skill deficiencies in mathematics or English/language arts.

(c) *The department shall use the money described in subsection (a) for adult education grants to employers. **A grant to an employer under this subsection is equal to the amount established under subsection (d) plus, subject to the availability of funds, the amount determined under subsection (e).***

(d) *An employer is eligible for an adult education grant for each eligible employee who obtains a high school diploma or a high school equivalency diploma through a program organized or funded by the employer. The amount of the grant is the lesser of ~~five hundred dollars (\$500)~~ **one thousand dollars (\$1,000)** or the out-of-pocket expenditure by the employer for the costs described in subsection ~~(e)~~ **(h)**.*



(e) Subject to subsection (i), if, on June 15, the total amount of funds allocated under subsection (a) exceeds the total amount of funds used for reimbursements and grants under subsections (a) and (b), the department shall use the remaining funds to reimburse each employer that received a grant under subsection (d) for instructor salary costs that the employer incurred and that exceeded the amount of funds the employer received under subsection (d). If the amount of the remaining funds is not sufficient to reimburse each employer for the employer's instructor salary costs, each employer shall receive funds under this subsection in an amount equal to the lesser of:

(1) the total instructor salary costs that the employer incurred and that exceeded the amount of funds the employer received under subsection (d); or

(2) the result of STEP FOUR of the following STEPS:

STEP ONE: Determine the total number of eligible employees for which the employer received a grant under subsection (d).

STEP TWO: Determine the total number of eligible employees for which all employers received a grant under subsection (d).

STEP THREE: Determine the result of:

(A) the STEP ONE amount; divided by

(B) the STEP TWO amount.

STEP FOUR: Determine the result of:

(A) the STEP THREE result; multiplied by

(B) the amount of the remaining funds.

(f) *To qualify as an eligible employee, an individual must meet all of the following criteria:*

(1) *The individual must be at least eighteen (18) years of age and not enrolled in a school corporation's kindergarten through grade 12 educational program.*

(2) *The individual must be a resident of Indiana for at least thirty (30) days before enrolling in a program of adult education.*

(3) *The individual must be employed on a part-time or full-time basis in Indiana.*

(4) *When initially employed by the employer, the individual:*

(A) *did not have sufficient high school credits to earn a high school diploma; or*

(B) *had not passed the examination to earn a high school equivalency diploma or a general educational development (GED) diploma.*



~~(d)~~ (g) For purposes of reimbursement under this section, the eligible provider may not count an individual who is also enrolled in a school corporation's kindergarten through grade 12 educational program. An individual described in ~~subdivision (3)~~ subsection (b)(3) may be counted for reimbursement by the eligible provider only for classes taken in mathematics and English/language arts.

~~(b) (e)~~ (h) **Subject to subsection (i), the ~~council~~ department shall provide for reimbursement to an eligible provider or employer under this section for instructor salaries and administrative and support costs. However, The ~~council~~ department may not allocate more than fifteen percent (15%) of the total appropriation under subsection (a) to the department for administrative and support costs incurred by eligible providers or employers under this subsection.**

(i) **The costs incurred by an employer for an instructor's salary are not eligible to be included as out-of-pocket expenditures by the employer under subsection (d) or as instructor salary costs incurred by the employer under subsection (e) unless the following conditions apply:**

- (1) **The instruction by the instructor was provided in a program that allows the eligible employees of the employer that participate in the program to obtain a high school diploma or a high school equivalency diploma.**
- (2) **The costs for the instructor's salary could not be provided by an eligible provider without expenditures by the employer.**
- (3) **An eligible provider or the instructor signs an affidavit attesting that the costs for the instructor's salary meet the requirements of subdivisions (1) and (2).**

SECTION 35. IC 22-4.1-26-5, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) **Except as provided in section 5.5 of this chapter,** eligible employees must be trained, hired, and retained for at least six (6) months by the employer. If an eligible employee separates from employment with the employer that provided the training in order to accept employment with another employer before the end of the six (6) month period, the retention requirement is waived.

(b) **Eligible employment must be in one (1) of the following sectors:**

- (1) Manufacturing.
- (2) Technology business services.
- (3) Transportation and logistics.
- (4) Health sciences.
- (5) Building and construction.
- (6) Agriculture.



SECTION 36. IC 22-4.1-26-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. (a) The requirements described in section 5(a) of this chapter do not apply to this section.**

**(b) A high school student is eligible to participate in the program if the student is enrolled in a work based learning course (as defined in IC 20-43-8-0.7) that is aligned with the sectors for eligible employment described in section 5(b) of this chapter.**

SECTION 37. IC 22-4.1-26-6, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6. (a) Eligible training must be job skills training that ties to an in demand occupation and leads to:**

**(1) for an eligible employee (including a high school student described in section 5.5 of this chapter) that is a new hire, a postsecondary credential, a nationally recognized industry credential, or specialized company training; or**

**(2) for an eligible employee that is an existing worker:**

**(A) a postsecondary credential, a nationally recognized industry credential, or specialized company training; and**

**(B) an increase of wages.**

**(b) Eligible training does not include human resource training or job shadowing.**

SECTION 38. IC 22-4.1-26-7, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 7. (a) The maximum grant amount provided to an employer for each eligible employee is five thousand dollars (\$5,000). However, if the eligible employee is a high school student, the maximum grant amount provided to an employer for the student is the lesser of:**

**(1) one thousand dollars (\$1,000); or**

**(2) not more than one-third (1/3) of the cost of the student's work based learning course.**

**(b) The maximum grant amount provided to a particular employer is fifty thousand dollars (\$50,000).**

SECTION 39. [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)] **(a) 511 IAC 8-2-6 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.**

**(b) This SECTION expires January 1, 2020.**

SECTION 40. **An emergency is declared for this act.**



---

Speaker of the House of Representatives

---

President of the Senate

---

President Pro Tempore

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**HEA 1002 — CC 1**

